

No. 42

# MICHIGAN SENATE

## DAILY CALENDAR

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WEDNESDAY, MAY 12, 2010  
10:00 a.m.

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### MOTIONS

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**(Consideration postponed until Friday, December 31.)**

**HB 4316** Rep. Lisa Brown

Torts; product liability; limitation on liability for drugs that have been approved by federal food and drug administration; rescind.

Amends sec. 2946 of 1961 PA 236 (MCL 600.2946).

**I.E. House, March 26, 2009.**

**Motion to discharge Committee on Government Operations and Reform, Thursday, April 23, 2009.**

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2

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**(Consideration postponed until Friday, December 31.)**

**HB 4317** Rep. Kennedy

Civil procedure; statute of limitations; drug product liability cases previously prohibited because of FDA approval defense; allow to be commenced within 3 years after repeal of the defense.

Amends sec. 5805 of 1961 PA 236 (MCL 600.5805).

**I.E. House, March 26, 2009.**

**Motion to discharge Committee on Government Operations and Reform, Thursday, April 23, 2009.**

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3

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**(Consideration postponed until Friday, December 31.)**

**HB 4318** Rep. Slavens

Consumer protection; unfair trade practices; liability for inaccurate representations concerning risks of certain drugs, medications, and supplements; clarify.

Amends secs. 2 & 3 of 1976 PA 331 (MCL 445.902 & 445.903).

**I.E. House, March 26, 2009.**

**Motion to discharge Committee on Government Operations and Reform, Thursday, April 23, 2009.**

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4

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**(Consideration postponed until Wednesday, November 3.)**

**SR 15** Sen. Whitmer

A resolution to amend the Standing Rules of the Senate.

**Motion to reconsider motion to discharge Committee on Government Operations and Reform, Thursday, May 7, 2009.**

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### MESSAGES FROM THE HOUSE

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**HB 4514** Rep. Lahti

Income tax; credit; eligibility for state earned income tax credit; require taxpayer to be resident for at least 6 months. Amends sec. 272 of 1967 PA 281 (MCL 206.272).

**I.E. House, March 18, 2009.**

**Returned from House with House substitute (H-7) to Senate substitute (S-3), Thursday, February 25; laid over under the rules.**

**Committee recommended I.E.**

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### THIRD READING OF BILLS

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6

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**SJR K** Sen. Kuipers

Constitutional amendments; state; right for independent health care; provide for.

Amends the state constitution by adding sec. 28 to art. I.

**Reported by Committee on Health Policy.**

**Senate substitute (S-1).**

**Not adopted, Tuesday, March 16; motion to reconsider vote pending.**

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7

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**HB 4932** Rep. Rocca

Gaming; other; allowable value for coupons awarded in redemption games; increase.

Amends sec. 310b of 1931 PA 328 (MCL 750.310b).

**I.E. House, June 2, 2009.**

**House substitute (H-2).**

**Defeated, Tuesday, March 9; motion to reconsider vote pending.**

**Committee recommended I.E.**

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8

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**SB 911** Sen. McManus

State agencies (existing); natural resources; powers and duties of the department of environmental quality under beverage container law; transfer to the department of natural resources.

Amends sec. 3f of 1976 IL 1 (MCL 445.573f).

**Reported by Committee on Appropriations.**

**Defeated, Wednesday, December 2, 2009; motion to reconsider vote pending.**

**Committee recommended I.E.**

## THIRD READING OF BILLS

9

**SB 216** Sen. Allen

Liquor; licenses; continuing care retirement center liquor license; create.

Amends secs. 525 & 537 of 1998 PA 58 (MCL 436.1525 & 436.1537) & adds sec. 545.

**Reported by Committee on Economic Development and Regulatory Reform.**

**Senate substitute (S-1).**

**Committee recommended I.E.**

10

**SB 47** Sen. Kahn

Health; pharmaceuticals; prescription drug website; provide for.

Amends 1978 PA 368 (MCL 333.1101 - 333.25211) by adding sec. 9721.

**Reported by Committee on Health Policy.**

**Committee recommended I.E.**

11

**HB 4971** Rep. Dean

Children; protection; provision for written request of documentation stating individual not named in central registry case; modify.

Amends sec. 7j of 1975 PA 238 (MCL 722.627j).

**I.E. House, August 26, 2009.**

**Reported by Committee on Families and Human Services.**

**Committee recommended I.E.**

## GENERAL ORDERS

12

**SB 165** Sen. Barcia

Traffic control; accidents; procedure relating to obtaining crash reports; modify.

Amends secs. 621 & 622 of 1949 PA 300 (MCL 257.621 & 257.622).

**Reported by Committee on Transportation.**

**Committee recommended I.E.**

13

**SB 478** Sen. Sanborn

Corrections; other; report to legislature of status of offender tracking system; require.

Amends 1953 PA 232 (MCL 791.201 - 791.285) by adding sec. 7b.

**Reported by Committee on Judiciary.**

**Committee recommended I.E.**

14

**SB 592** Sen. Kuipers

Education; financing; certain energy contracts; allow.

Amends sec. 1274a of 1976 PA 451 (MCL 380.1274a).

**Reported by Committee on Education.**

**Committee recommended I.E.**

## GENERAL ORDERS

15

**SB 670** Sen. Richardville

Transportation; funds; Michigan transportation fund; reclassify as a trust fund and restrict disposition of interest and earnings.

Amends sec. 10 of 1951 PA 51 (MCL 247.660).

**Reported by Committee on Transportation.**

**Committee recommended I.E.**

16

**HB 5086** Rep. Simpson

Economic development; renaissance zones; number of additional renaissance zones for agricultural processing facilities; increase.

Amends sec. 8c of 1996 PA 376 (MCL 125.2688c).

**I.E. House, June 25, 2009.**

**Reported by Committee on Agriculture and Bioeconomy.**

**Committee recommended I.E.**

17

**HB 5221** Rep. Bennett

Environmental protection; pollution prevention; laboratory recognition program; eliminate.

Repeals pt. 205 of 1994 PA 451 (MCL 324.20501 - 324.20519).

**I.E. House, September 15, 2009.**

**Reported by Committee on Natural Resources and Environmental Affairs.**

**Committee recommended I.E.**

18

**HB 4565** Rep. Meadows

Liquor; retail sales; tagging of certain beer kegs; require.

Amends 1998 PA 58 (MCL 436.1101 - 436.2303) by adding sec. 1029.

**I.E. House, April 23, 2009.**

**House substitute (H-2).**

**Reported by Committee on Economic Development and Regulatory Reform.**

**Senate substitute (S-1).**

**Committee recommended I.E.**

19

**SB 792** Sen. Kahn

Weapons; other; right to transportation and storage of firearms under certain circumstances; allow.

Amends title of 1927 PA 372 (MCL 28.421 - 28.435) & adds secs. 1b & 36.

**Reported by Committee on Hunting, Fishing and Outdoor Recreation.**

**Senate substitute (S-1).**

20

**SB 793** Sen. Barcia

Weapons; other; transportation of firearms for lawful purpose; expand.

Amends sec. 231a of 1931 PA 328 (MCL 750.231a).

**Reported by Committee on Hunting, Fishing and Outdoor Recreation.**

## GENERAL ORDERS

21

**SB 862** Sen. Gilbert

Transportation; motor carrier fuel tax; diesel fuel tax; increase, and provide phase-in period.

Amends sec. 2 of 1980 PA 119 (MCL 207.212).

**Reported by Committee on Transportation.**

**Committee recommended I.E.**

22

**SB 863** Sen. Gilbert

Transportation; funds; revenue from increase in motor carrier fuel tax; divert to critical budget funds.

Amends sec. 10 of 1951 PA 51 (MCL 247.660).

**Reported by Committee on Transportation.**

**Senate substitute (S-3).**

**Committee recommended I.E.**

23

**SB 350** Sen. Cassis

Civil procedure; foreclosure; amount required to redeem foreclosed property; allow certain registers of deeds to calculate.

Amends sec. 3240 of 1961 PA 236 (MCL 600.3240).

**Reported by Committee on Banking and Financial Institutions.**

**Senate substitute (S-3).**

**Committee recommended I.E.**

24

**SB 927** Sen. Jansen

State financing and management; bonds; bonding authority for prefunded retiree health care; provide for.

Amends sec. 103 of 2001 PA 34 (MCL 141.2103) & adds sec. 518.

**Reported by Committee on Appropriations.**

**Senate substitute (S-2).**

**Committee recommended I.E.**

25

**HB 4073** Rep. Hammel

Retirement; other; public employee retirement health care trust; provide for.

Creates new act.

**I.E. House, March 4, 2009.**

**House substitute (H-4).**

**Reported by Committee on Appropriations.**

**Senate substitute (S-2).**

**Committee recommended I.E.**

26

**SB 967** Sen. Clarke

Holidays; other; "Dr. Ralph Bunche Day"; designate as August 7.

Creates new act.

**Reported by Committee on Local, Urban and State Affairs.**

**Committee recommended I.E.**

27

**SB 357** Sen. Jacobs

Construction; equipment; playground equipment safety act; expand to include flagpoles.

Amends secs. 2 & 6 of 1997 PA 16 (MCL 408.682 & 408.686).

**Reported by Committee on Education.**

**Committee recommended I.E.**

## GENERAL ORDERS

28

**HB 5749** Rep. Gregory

Health; local health departments; local government authority over licensing requirements for massage therapists; revise.

Amends sec. 17967 of 1978 PA 368 (MCL 333.17967).

**I.E. House, February 2, 2010.**

**Reported by Committee on Health Policy.**

**Committee recommended I.E.**

29

**SB 802** Sen. Kuipers

Higher education; community colleges; removal of community college employees from school retirement system; provide for.

Amends secs. 6 & 7 of 1980 PA 300 (MCL 38.1306 & 38.1307).

**Reported by Committee on Education.**

**Senate substitute (S-1).**

**Committee recommended I.E.**

30

**HB 4899** Rep. Segal

Health; diseases; list of reportable diseases; require department to create and update at least annually.

Amends secs. 5101, 5111, 5117, 5131, 5204 & 20191 of 1978 PA 368 (MCL 333.5101 et seq.).

**I.E. House, May 13, 2009.**

**Reported by Committee on Health Policy.**

**Committee recommended I.E.**

31

**HB 4901** Rep. Liss

Health; diseases; reference to rules promulgated under public health code regarding corrections employees; revise.

Amends sec. 67b of 1953 PA 232 (MCL 791.267b).

**I.E. House, May 13, 2009.**

**Reported by Committee on Health Policy.**

**Committee recommended I.E.**

32

**HB 5274** Rep. Lipton

Crimes; drunk driving; repeat drunk driving offenders; establish license sanctions for DWI/sobriety court participants.

Amends secs. 303, 322, 625n, 732a & 904d of 1949 PA 300 (MCL 257.303 et seq.).

**I.E. House, December 17, 2009.**

**House substitute (H-1).**

**Reported by Committee on Judiciary.**

**Senate substitute (S-1).**

**Committee recommended I.E.**

33

**SB 1046** Sen. Jansen

Labor; public service employment; mandated public employee contribution to employer-provider health care benefits; provide for.

Creates new act.

**Reported by Committee on Reforms and Restructuring.**

**Senate substitute (S-6).**

**Committee recommended I.E.**

## GENERAL ORDERS

34

**SB 1047** Sen. Sanborn

Public employees and officers; compensation and benefits; public employee access to health plan available to state employees; provide for.

Creates new act.

**Reported by Committee on Reforms and Restructuring.**

**Senate substitute (S-1).**

**Committee recommended I.E.**

35

**SB 1074** Sen. Pappageorge

Education; school districts; contracting and competitive bidding for food, custodial, and transportation services for public schools; require.

Amends 1976 PA 451 (MCL 380.1 - 380.1852) by adding sec. 1245.

**Reported by Committee on Reforms and Restructuring.**

**Senate substitute (S-3).**

**Committee recommended I.E.**

36

**SJR P** Sen. Jansen

Labor; civil service employment; health benefits of public employees and officers; allow legislature to regulate.

Amends the state constitution by adding sec. 8 to art. XI.

**Reported by Committee on Reforms and Restructuring.**

**Senate substitute (S-2).**

37

**SB 1173** Sen. Cassis

Labor; public service employment; definition of public employee; clarify regarding collection of union dues from child care or health care giver subsidies.

Amends secs. 1 & 14 of 1947 PA 336 (MCL 423.201 & 423.214).

**Reported by Committee on Families and Human Services.**

**Senate substitute (S-1).**

**Committee recommended I.E.**

38

**SB 1179** Sen. Jansen

Labor; public service employment; definition of public employee; clarify regarding persons who receive payments from child care subsidies.

Amends secs. 1 & 14 of 1947 PA 336 (MCL 423.201 & 423.214).

**Reported by Committee on Families and Human Services.**

**Senate substitute (S-1).**

**Committee recommended I.E.**

39

**HB 5899** Rep. Kurtz

Cemeteries and funerals; burial or cremation; immunity for funeral director properly disposing of unclaimed cremated remains; revise effective date.

Amends enacting sec. 1 of 2009 PA 149.

**I.E. House, March 10, 2010.**

**Reported by Committee on Senior Citizens and Veterans Affairs.**

**Committee recommended I.E.**

## GENERAL ORDERS

40

**HB 5900** Rep. Polidori

Occupations; mortuary science; registry of names of unclaimed cremated remains; revise effective date.

Amends enacting sec. 1 of 2009 PA 148.

**I.E. House, March 10, 2010.**

**Reported by Committee on Senior Citizens and Veterans Affairs.**

**Committee recommended I.E.**

41

**HB 4480** Rep. Cushingberry

Property; conveyances; certain state owned property in Wayne county; provide for conveyance.

Creates new act.

**I.E. House, April 13, 2010.**

**Reported by Committee on Appropriations.**

**Committee recommended I.E.**

42

**SB 1075** Sen. Bishop

State agencies (proposed); other; reorganization of state departments; provide for.

Creates new act & repeals 1965 PA 380 (MCL 16.101 - 16.608).

**Reported by Committee on Reforms and Restructuring.**

**Senate substitute (S-1).**

**Committee recommended I.E.**

43

**SB 1177** Sen. Kahn

Water; other; groundwater dispute resolution program; restore.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding pt. 317.

**Reported by Committee on Natural Resources and Environmental Affairs.**

**Committee recommended I.E.**

44

**HB 4406** Rep. Espinoza

Health; abortion; report form; require Hispanic ethnicity of patient to be reported.

Amends sec. 2835 of 1978 PA 368 (MCL 333.2835).

**I.E. House, April 20, 2010.**

**House substitute (H-1).**

**Reported by Committee on Health Policy.**

**Committee recommended I.E.**

45

**SB 1269** Sen. Gleason

Highways; name; renaming a portion of I-475; designate as "Mark Ingram Memorial Highway".

Amends 2001 PA 142 (MCL 250.1001 - 250.2080) by adding sec. 1059.

**Reported by Committee on Transportation.**

**Senate substitute (S-1).**

**Committee recommended I.E.**

## GENERAL ORDERS

46

**SB 825** Sen. Allen  
Insurance; insurers; cap on risk or hazard loss; increase.  
Amends sec. 640 of 1956 PA 218 (MCL 500.640).  
**Reported by Committee on Economic Development and Regulatory Reform.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

47

**HB 5313** Rep. Nathan  
Occupations; real estate; board of real estate appraisers; revise.  
Amends sec. 2603 of 1980 PA 299 (MCL 339.2603).  
**I.E. House, February 24, 2010.**  
**For House amendment, see House Journal No. 18, page 190.**  
**Reported by Committee on Economic Development and Regulatory Reform.**  
**Committee recommended I.E.**

48

**SB 928** Sen. Jelinek  
Appropriations; supplemental; multidepartment zero-based budget for 2010 fiscal year; provide for.  
Creates appropriation act.  
**Reported by Committee on Appropriations.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

49

**HB 5875** Rep. Espinoza  
Appropriations; agriculture; department of agriculture; provide for fiscal year 2010-2011.  
Creates appropriation act.  
**I.E. House, March 25, 2010.**  
**House substitute (H-3).**  
**Reported by Committee on Appropriations.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

50

**HB 5883** Rep. Tlaib  
Appropriations; judiciary; judiciary budget; provide for fiscal year 2010-2011.  
Creates appropriation act.  
**I.E. House, March 25, 2010.**  
**House substitute (H-1).**  
**Reported by Committee on Appropriations.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

51

**SB 1253** Sen. Birkholz  
Health facilities; employees; criminal history background check; clarify process to eliminate subsequent checks when possible and consolidate mental health and adult foster care facilities under public health code.  
Amends sec. 20173a of 1978 PA 368 (MCL 333.20173a).  
**Reported by Committee on Health Policy.**  
**Senate substitute (S-2).**  
**Committee recommended I.E.**

## GENERAL ORDERS

52

**SB 1254** Sen. Stamas  
Human services; adult foster care; criminal history background check; conduct in the same manner as required under the public health code.  
Amends sec. 34b of 1979 PA 218 (MCL 400.734b).  
**Reported by Committee on Health Policy.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

53

**SB 1255** Sen. Thomas  
Mental health; other; criminal history background check for mental health care; conduct in same manner as required under the public health code.  
Amends sec. 134a of 1974 PA 258 (MCL 330.1134a).  
**Reported by Committee on Health Policy.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

## RESOLUTIONS

54

**SR 41** Sen. Cropsey  
A resolution to urge the Michigan Department of Corrections to implement nondenominational prison congregation programs within our prisons.  
**Reported by Committee on Judiciary.**  
**For text of resolution, see Senate Journal No. 32 of 2009, page 591.**  
**Adoption pending.**

55

**SR 75** Sen. Patterson  
A resolution to extend subpoena power to the Senate Judiciary Committee.  
**Motion to suspend rules postponed, Wednesday, August 26, 2009.**  
**For text of resolution, see Senate Journal No. 65 of 2009, page 1325.**  
**Rules suspension pending.**

56

**SR 88** Sen. Pappageorge  
A resolution to urge the Michigan House of Representatives to begin the veto override process on the Governor's line-item veto of the section 20j hold harmless school aid funding in 2009 PA 121.  
**Reported by Committee on Appropriations.**  
**For text of resolution, see Senate Journal No. 88 of 2009, page 2053.**  
**Adoption pending.**

## SCHEDULED MEETINGS

**Appropriations** - Wednesday, May 12, 2:00 p.m., and Thursday, May 13, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-6960)



SCHEDULED MEETINGS	SCHEDULED MEETINGS
<b>Subcommittees -</b> <b>General Government</b> - Wednesday, May 12, 9:00 a.m., Room 110 and Thursday, May 13 (CANCELED), 2:00 p.m., Farnum Building (373-2768) <b>Higher Education</b> - Thursday, May 13, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768) <b>Human Services Department</b> - Thursday, May 13, 8:30 a.m., Room 210, Farnum Building (373-2768) <b>Transportation Department</b> - Wednesday, May 12, 9:30 a.m., Room 405, Capitol Building (373-2768)	<b>Banking and Financial Institutions</b> - Wednesday, May 12, 9:00 a.m., Room 210, Farnum Building (373-3543) <b>Economic Development and Regulatory Reform</b> - Wednesday, May 19, 1:00 p.m., Rooms 402 and 403, Capitol Building (373-7670) <b>Finance</b> - Thursday, May 13, 11:00 a.m., Room 110, Farnum Building (373-1758)

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**BILLS IN CONFERENCE**


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Bill No.	Brief Title	Conferees		Report Agreed to	
		Senate	House	Senate	House
SB 247	Appropriations; zero budget; department of history, arts, and libraries; provide for fiscal year 2009-2010.	George Brown Clark-Coleman			
SB 290	Economic development; brownfield redevelopment authority; eligibility requirements; modify.	Allen Gilbert Clarke	Miller Robert Jones Opsommer		
SB 293	Economic development; renaissance zones; eligibility requirements; modify.	Allen Gilbert Clarke	Miller Robert Jones Opsommer		
SB 295	Economic development; obsolete property and rehabilitation; obsolete property rehabilitation act; modify eligibility requirements.	Allen Gilbert Clarke	Miller Robert Jones Opsommer		
SB 296	Michigan business tax; other; historic preservation tax credit preferences and penalties under certain circumstances; provide for.	Allen Gilbert Clarke	Miller Robert Jones Opsommer		
SB 1227	Retirement; public school employees; vesting cap for defined benefits plan, defined contribution for new employees, and retirement on or before October 1, 2010; provide for.	Gilbert Jansen Cherry	Griffin Meadows Bolger		
HB 4083	State financing and management; funds; strategic fund; modify eligibility requirements.	Allen Gilbert Clarke	Miller Robert Jones Opsommer		
HB 4089	Economic development; Michigan economic growth authority; eligibility requirements; modify.	Allen Gilbert Clarke	Miller Robert Jones Opsommer		
HB 4092	Economic development; other; industrial development revenue bond act; modify eligibility requirements.	Allen Gilbert Clarke	Miller Robert Jones Opsommer		

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**BILLS IN CONFERENCE**

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<b>Bill No.</b>	<b>Brief Title</b>	<b>Conferees</b>		<b>Report Agreed to</b>	
		<b>Senate</b>	<b>House</b>	<b>Senate</b>	<b>House</b>
HB 4093	Economic development; plant rehabilitation; eligibility requirements; modify.	Allen Gilbert Clarke	Miller Robert Jones Opsommer		
HB 4094	Economic development; other; transportation economic development fund; modify eligibility requirements.	Allen Gilbert Clarke	Miller Robert Jones Opsommer		